

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:03-cr-00162-FDW

UNITED STATES OF AMERICA,

vs.

MONTE DUBOIS GREGORY,

Defendant.

)  
)  
)  
)  
)  
)  
)

ORDER

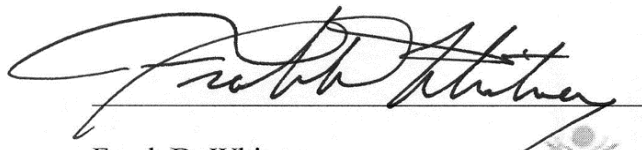
THIS MATTER is before the Court on Defendant's *pro se* Motion to Appoint Counsel (Doc. No. 103) and Motion to Reduce Sentence Pursuant to First Step Act of 2018 (Doc. No. 104).

The Court hereby ORDERS the Government to respond to Defendant's motion. The Government shall have **sixty (60) days** from the date of this Order to file its response with the Court. The Government shall advise the United States Probation Office if the Government believes a supplemental Presentence Investigation Report will be required.

With respect to the Motion to Appoint Counsel, criminal defendants do not have a right to counsel beyond their first appeal. E.g., United States v. Kenny, No. 3:01-cr-00185-FDW, 2020 WL 2094116, at \*1 (W.D.N.C. Apr. 30, 2020); United States v. Ismel, No. 3:94-CR-00008-1, 2012 WL 113392, at \*1 (W.D. Va. Jan. 13, 2012). Defendant has not shown extraordinary circumstances warranting the appointment of counsel at this time. The Motion (Doc. No. 103) is therefore **DENIED**.

IT IS SO ORDERED.

Signed: March 11, 2021



Frank D. Whitney  
United States District Judge

